

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, et al.,

Plaintiffs,

v.

TWIN AMERICA, LLC, et al.,

Defendants.

Civil Action No. 12-cv-8989 (ALC) (GWG)

ECF Case

DEFENDANTS' AMENDED MOTION FOR LEAVE TO FILE UNDER SEAL

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Ryan M. Decker, dated August 1, 2014, Defendants Twin America, LLC, Coach USA, Inc., International Bus Services, Inc., CitySights LLC, and City Sights Twin, LLC ("Defendants") hereby move to amend their Motion For Leave to File Under Seal, dated June 30, 2014 (Dkt. No. 84) ("Defendants' Motion to Seal"), as follows:

1. Defendants no longer seek to file under seal Exhibit 54 to the Declaration of Amanda L. Fretto in Support of Defendants' Motion for Summary Judgment;
2. Defendants no longer seek to file under seal portions of Exhibit 51 to the Declaration of Amanda L. Fretto in Support of Defendants' Motion for Summary Judgment;
3. Defendants no longer seek to file under seal portions of Exhibit 14 to the Declaration of Andrew D. Lazerow in Support of Defendants' *Daubert* Motion to Exclude Certain Expert Testimony of Dr. Russell Pittman;
4. Defendants amend the portions of the Declaration of Amanda L. Fretto in Support of Defendants' Motion for Summary Judgment they seek to file under seal;
5. Defendants amend the portions of Exhibit 4 to the Declaration of Amanda L. Fretto in

Support of Defendants' Motion for Summary Judgment they seek to file under seal;
and

6. Defendants amend the portions of Defendants' *Daubert* Motion to Exclude Certain Expert Testimony of Dr. Russell Pittman.

Plaintiffs consent to Defendants' amended sealing proposals above.

The amended sealing proposals above resolve all of the contested redactions specified in Defendants' Motion to Seal. Accordingly, the parties believe this eliminates the need to submit the letters directed by the Court's July 24, 2014 Order (Dkt. No. 90).

Pursuant to the Second Amended Order and Stipulation Concerning the Filing of Summary Judgment and *Daubert* Motions (Dkt. No. 95), the parties will submit to the Court by August 15, 2014, a motion to seal, along with proposed redactions in connection with the Plaintiffs' Oppositions, Defendants' Replies, and the certain documents still being negotiated by the parties as identified in Defendants' Motion to Seal.

Dated: August 1, 2014

Respectfully submitted,

/s/ Michael P. A. Cohen

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*For Defendants Coach USA, Inc. and International
Bus Services, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of Defendants' Amended Motion for Leave to File under Seal to be served via the Court's ECF System upon the following Parties:

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Dated: August 1, 2014

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